

M E M O R A N D U M

TO: Parks and Recreation Board

FROM: Jesus M. Olivares, Director
Parks and Recreation Department

DATE: March 5, 1997

SUBJECT: Scenic Cove WW Lift Station Wall - Scott Sayers

Scott Sayers, through his agent Signor Enterprises Inc., recently requested approval to construct a boat dock on Lake Austin. The Board, at their meeting held on February 25, 1997, denied the request to build the dock at the location proposed.

During the review of the boat dock request it was ascertained that Mr. Sayers was considering constructing a wall around the adjacent City owned property, a wastewater lift station, which would deny public access to the shoreline of Lake Austin. Lot 1, Mr. Sayers' lot, is approximately 8 ac. (95% of it is submerged by Lake Austin), and wraps around the City owned property about 20' offshore.

Mr. Sayers had concerns about the illegal dumping and congregating that was taking place on the lift station tract and so, prior to the purchase of the lot, sought the approval of the Water and Wastewater Utility to construct a wall around the lift station to prohibit public access.

The W/WW Utility representative, Paul Shropshire (Pumping Plant Supervisor, Walnut Creek WW Treatment Plant), responded by countersigning a memo, with attached survey plat, sent by Mr. Sayers agent/broker. The location of the proposed wall would completely enclose the underground lift station and would exclude public access to the shoreline, and obstruct public views of Lake Austin.

The subdivision in which this lot is located was embroiled in controversy during the platting process in the early 1980's, which included unauthorized filling in Lake Austin. The subdivision approval also required that the alignment of Scenic Drive be vacated and realigned, and resolution of disputes over ownership of the land where the existing wastewater lift station was located.

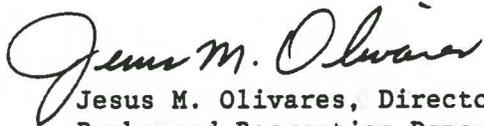
The subdivision was eventually approved by Parks Board, Planning Commission and City Council with conditions that included a requirement that the site of the lift station remain open for public access to the lake. This public use was also agreed with the Water and Wastewater Utility.

The Board, in their deliberations considered the dock location proposed by Mr. Sayers, together with other possible locations. The Board rejected the location proposed by Mr. Sayers and felt that there were other locations where the dock could be built, not on public land.

Mr. Sayers is continuing in his efforts to construct his boat dock on City property (reference the letter Mr. Sayers dated Feb. 26, 1997) and to erect some type of wall or fence around the WW lift station, citing the "letter" from the Water and Wastewater Utility.

The City Attorney has been asked for an opinion on the "letter" from the Water and Wastewater Utility approving the construction of the wall. A preliminary legal opinion will be available by the meeting date.

If I can provide you with any additional information please call me.



Jesus M. Olivares, Director
Parks and Recreation Department

JO:pm

Scott Sayers

1800 Nueces St. • Austin, Texas 78701 • 512-478-3483 • FAX 512-473-2447

Feb. 26, 1997

RECEIVED
FEB 27 1997

Peter Marsh
City of Austin
Parks and Recreation Dept.
Austin, Texas

Planning & Design
PARD

Peter,

Attached please find a copy of the original map from Paul Shropshire showing the area where I am to be allowed to build a fence on city property.

I have also attached another sheet with an alternate dock site that I believe would have little effect on the view (as it would be tucked up against the trees) and would eliminate the need for a 20 foot walkway. When DeWayne failed to consider this alternative last night I was confused at his argument that it would be constructing a dock in what is city property, albeit it underwater. Correct me if I am wrong, but in at least 50% of all cases where docks are built in the water on Lake Austin, the property owner lines do not actually extend into the water and the docks are effectively on city property. I received an approved dock permit on a piece of property on Channel Road this summer under the same circumstances. Why is this case different?

I am in the process of having a second legal opinion on the legality of the fence letter from Water-Wastewater. The first opinion indicated that it is legal, but before proceeding I want to make sure.

Please understand that if the letter is deemed legal and the city agrees to maintain the area near the lake in a better manner, I will not fence off all of the area indicated on the letter/map. This is a compromise I am willing to work towards if proper consideration is given to a logical dock site.

I would also like to request the following for my files and will pay any reproduction costs involved:

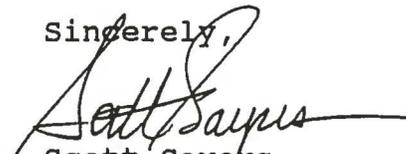
1.) a copy of the audio tape of the Navigation Committee meeting which I attended, plus a copy of the audio tape of the meeting of the Navigation Committee held prior to the Parks Board meeting last night.

- 7 -

- 2.) a copy of the video tape of the Parks Board meeting last night.
- 3.) a copy of the documents from the 1982-1983 period from which you quoted last night.

I appreciate your help and look forward to your response.

Sincerely,



Scott Sayers

cc: DeWayne Nauman
Knox Fitzpatrick
Paul Linehan
Rusty Signor

Bryan Adams & Co.

1200 Lakeway Drive, Ste. 2
Austin, Texas 78734
(512) 261-4497
(800) 255-4389
(512) 261-4476 FAX

Date: March 22, 1996

Memo To: Paul Schropshire
Pumping Plant Supervisor II
Water and Wastewater Utility
Walnut Creek WWTP/Lift Stations
City of Austin

From: Bryan Adams

Re: Fence around Scenic Cove Lift Station

This letter is to confirm the verbal conversation that we had regarding the owners of Lot 1, Scenic Cove II, being able to build a fence on the lift station property around the lift station and along the Scenic Drive to the south of the lift station to prevent open access to the lift station and to the water.

The owner is proposing a stone or brick & masonry wall to be built along the east, north, and west sides of the lift station approximately five feet from any concrete man holes at the station. If that is not an adequate distance, please indicate what is acceptable from your needs.

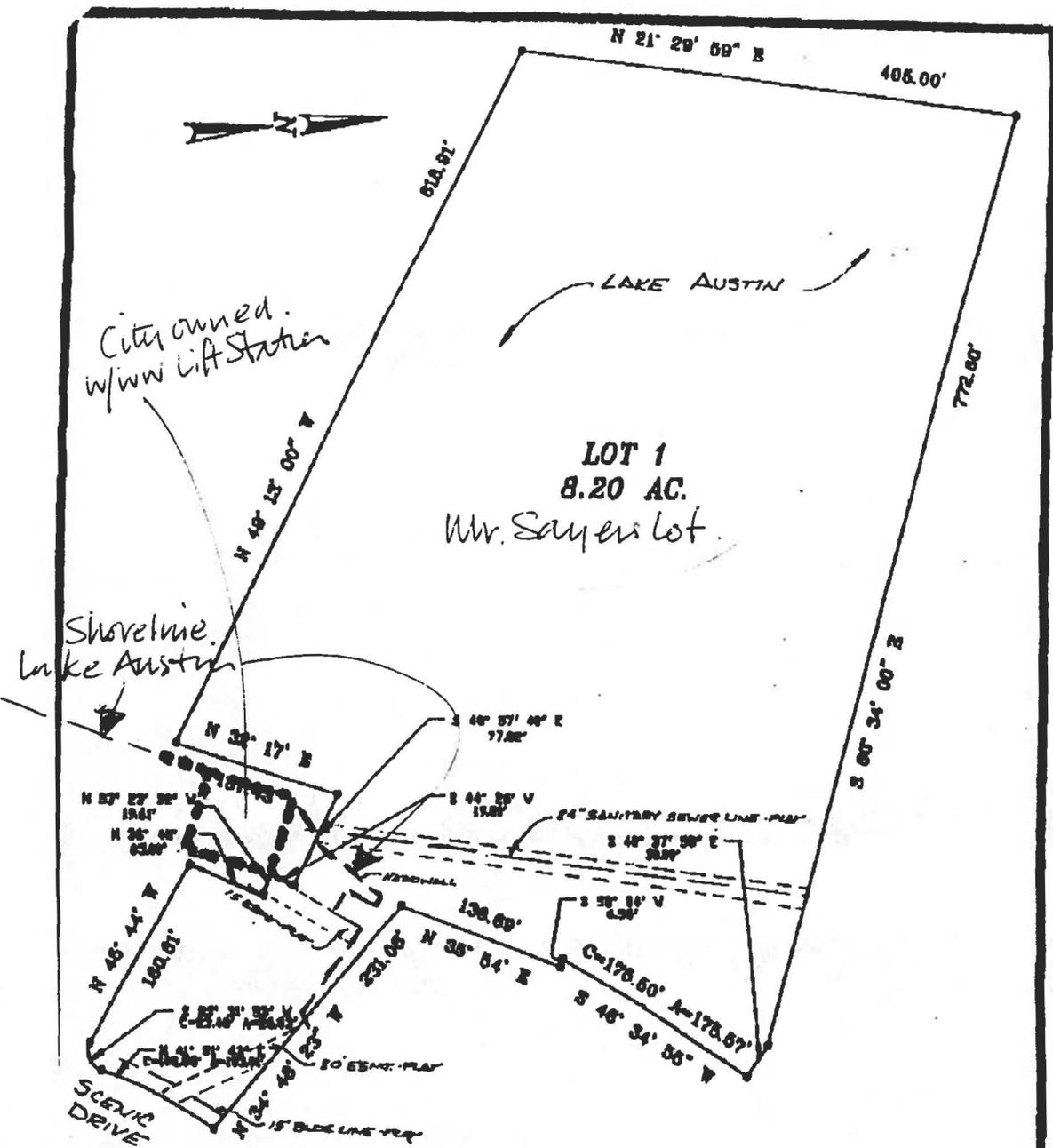
Along Scenic Drive in front of the lift station, the owner would build masonry columns with chain link fence (with screen) between the columns. The owner would also provide you with two gates for access. The gate to the electrical would provide an opening of 12 feet, and the other gate would provide an opening of 12 feet. Please give us the size the gates need to be.

I have attached a plat of the lot and the lift station and have indicated where the fence would be built by a yellow line.

If this is consistent with our conversation, please inform me accordingly. If there is anything else that we need to provide you, I will be glad to do so.

The above is acceptable:





Said lots with in a special flood hazard area as identified by Federal Insurance Admin., Dept. of H.U.D. Community No. Per Plat

To the lien holders and/or the owners of the premises surveyed.

SURVEY NO 871479 **PLAT OF SURVEY** SCALE: 1" = 100'

LOT NO. 1 BLOCK NO. _____ ADDITION OR SUBDIVISION Scenic Conv. II
 SECTION OR UNIT _____ BOOK 81 PG 79A
 STREET ADDRESS Scenic Drive CITY Austin COUNTY Travis
 SURVEY FOR Brian Adams REFERENCE _____

STATE OF TEXAS, COUNTY OF WILLIAMSON
 I HEREBY CERTIFY THAT THE ABOVE SURVEY WAS MADE THIS DAY ON THE GROUND AND IS TRUE AND CORRECT, AND THAT THERE ARE NO DISCREPANCIES, CONFLICTS, SHORTAGES IN AREA, ENCROACHMENTS, VISIBLE UTILITY LINES OR ROADS IN PLACE EXCEPT AS SHOWN HEREON AND SAID PROPERTY HAS ACCESS TO A DEDICATED ROADWAY, EXCEPT AS SHOWN HEREON

CRENSHAW ENGINEERING, INC.
 ENGINEERS - SURVEYORS
 7119 McNeil Road
 Building 200, Suite 202 Austin, Texas 78729
 512-398-3782



[Signature] 11-20-87
 DATE

RECEIVED

APR 9 1982

PARKS AND RECREATION
CITY OF AUSTIN

MEMORANDUM

TO: John L. German, P.E., Director of Public Works & Engineering

FROM: John D. Baylor, Assistant Director of Property Management

RE: Outstanding concerns and problems associated with Scenic Cove Taylor Slough Area

DATE: April 6, 1982

You are aware of an application by several parties to vacate a portion of Scenic Drive which extends into the water at Lake Austin near the Austin Boat Club and a sliver of Scenic Drive near the intersection of Matthews Lane in exchange for the City's receiving the dedication of certain tracts of land for right-of-way in the area including the Shield's tract. The Property Management Division has supported the application although it had hoped to resolve as an additional issue the question of ownership of a small tract of land on the south side of Taylor Slough on which the Wastewater lift station is located.

Mr. Ray Thomas, the developer of Scenic Cove at the mouth of Taylor Slough has now expressed an interest in conveying his title in the subject tract to the City in exchange for the City filling a shallow cove adjacent to the mouth of Taylor Slough to eliminate a trashy condition generated by wave and wind action blowing debris from the lake into the cove (see attached sketch). The Parks & Recreation Department has indicated that the location of the wastewater lift station could serve as a pedestrian access to a scenic view of Lake Austin but they are also concerned about loosing access to that portion of Scenic Drive being recommended for vacation.

In further conversation with Mr. Thomas I have learned that he will agree to furnish the fill material and do the work at his expense if the City would approve the filling of the cove and provide a pipe to extend the storm drain. The Water and Waste Water Department has indicated their willingness to provide pipe. Mr. Thomas is in agreement that no additional benefits or changes in the Scenic Cove subdivision would be gained or accrue to him if the cove were filled.

Proper application to apply fill material would be required and Mr. Thomas understands this. Final approval would have to come from the Council after review by the Parks Board and Corps of Engineers.

The Property Management Division is of the opinion that legal title to the wastewater lift station site is important to the City Water & Waste Water Department and therefore Mr. Thomas' offer to convey his interest in this tract could well be accomplished as a package to the vacation of portions of Scenic Drive. Pedestrian viewing access to Lake Austin from the Wastewater lift station would be served and filling of cove would reduce an unsightly condition adjacent to the mouth of Taylor Slough.

If this proposal is found to be acceptable to all affected departments and interested parties to the street vacation, our office would proceed to assist Engineering in gaining final approvals and handling title transfer of the lift station.


John D. Baylor,
Assistant Director of Property Management

PROPERTY MANAGEMENT DIVISION
PUBLIC WORKS DEPARTMENT

Enclosures
JDB:ym

xc: Larry O'Neal, P.W., Street Vacation
Jim Nias, Assistant City Attorney
Roger White, Acting Director Water & Waste Water Department
Leonard Ehrler, Director, Parks & Recreation Department
Dick Lillie, Planning

April 14, 1982

MEMORANDUM TO: Leonard Ehrler, Jr., Director
Parks and Recreation Department

FROM: Stuart Strong, Land Acquisition Planner
Parks and Recreation Department

SUBJECT: Planning Commission Action on
Scenic Drive Vacation

At their April 13 meeting, the Planning Commission considered a request that the City vacate a 320' portion of Scenic Drive right-of-way that extends into Lake Austin. The Commission voted to refer the request to the Parks and Recreation Board for a recommendation.

The Planning Commission expressed concern that the vacation question is only one of a number of related issues of interest to the City in the Taylor Slough-Lake Austin area. Specifically, the commission wanted to settle the question of public access to the Lake Austin shoreline in this rapidly developing area. A dedicated public trail easement connects Reed Park to Scenic Drive but not Lake Austin. The City paid for a .16 acre tract on Lake Austin for a lift station site in 1970. The Parks and Recreation Department and Parks and Recreation Board have been interested in using the lift station site as the point of public access to Lake Austin but the owner/developer of the adjoining Scenic Cove subdivision has claimed a prior title to the tract. The City Legal Department has advised the Parks and Recreation Department that even though the City's title is backed by a Title Policy, conflicting claims can only be settled in court.

In view of the uncertain title and possibility of losing the lake shore lift station site, the Planning Commission was hesitant to surrender ownership of the Scenic Drive right-of-way without a recommendation of the Parks and Recreation Board.

The matter could be presented to the Parks and Recreation Board at the April 27 meeting.



Stuart Strong, Land Acquisition Planner
PARKS AND RECREATION DEPARTMENT

SS:cc

Attachment

xc: David J. Reed, Superintendent of Planning and Design
Parks and Recreation Department



MEMORANDUM

Sand Reed
Street - for
your file on
Taylor Slough

To: John L. German, P.E., Director of Public Works and Engineering
From: Nicholas M. Meiszer, City Manager
Date: April 15, 1982
Subject: Street Vacation - Scenic Cove

This is to confirm my decision to exclude the lift station issue from the street vacation matter now being reviewed by City Boards and Commissions. Please work with PARD, Planning, and Water and Wastewater to resolve the lift station property matter totally separate from any other action.

Based upon the information provided, I see no reason to doubt that the City has title to the larger of the two tracts of land in the lift station dispute. Regarding the smaller of the two tracts, the Property Management Division should utilize acquisition methods available to the City to gain clear title to the entire lift station site, including the eminent domain process if that becomes necessary.

- Further, it is my understanding that the City has not agreed to initiate the process nor has any application been filed to fill the lake or cove in the Scenic Drive area. However, if such application should be filed, it will require review by the Parks and Recreation Board and the Planning Commission before referring it to the City Council for action. Such work would also require the approval of the U.S. Army Corps of Engineers.

Finally, since the City has title to the larger lift station tract, public access to the lake shore can be provided at that location and connections to the Taylor Slough hike and bike trail can be made along Scenic Drive. This should resolve the public access issue in relation to the street vacations and allow the Parks and Recreation Board and the Planning Commission to consider the street vacation request on its own merits.

Nicholas M. Meiszer
Nicholas M. Meiszer
City Manager

NMM/brk

xc: Dick Lillie
Leonard Ehrler ✓
Rodger White

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PARKS AND RECREATION
CITY OF AUSTIN

April 30, 1982

Stuart Thon

MEMORANDUM TO: Richard Lillie, Director
Planning Department

FROM: Leonard Ehrler, Jr., Director
Parks and Recreation Department

SUBJECT: Parks and Recreation Board Recommendation
Concerning Proposed Vacation of Scenic
Drive Right-of-Way

At their regularly scheduled meeting held Tuesday, April 27, 1982, the Parks and Recreation Board reviewed the proposed vacation of Scenic Drive right-of-way, as requested by the Planning Commission.

After considerable discussion, the Board voted unanimously to recommend to City Council that a City-owned linear right-of-way easement along the west side of the existing Scenic Drive and abutting lots 2, 3, and 4 (see "A" on attached map), be traded for a conservation easement to prevent the fencing of the shoreline, up to the water line of Lake Austin on Lots 5 and 6 (see "B" on attached map), on the west side of the existing Scenic Drive, in the Scenic Cove Subdivision.

The Board also discussed at length the proposed vacation of Scenic Drive right-of-way adjoining Lots 38 and 39, Tarrytown River Oaks Section II (File #C10v-81-016), as requested by adjoining landowners (see "C" on attached map), and voted unanimously to recommend the following to City Council:

Whereas, the Parks and Recreation Department Lake Austin Corridor Recreational Study published in August 1981, concludes that there is not sufficient public access or public waterfront recreation opportunity on Lake Austin to meet present or future needs, and

Whereas, the West Austin Neighborhood Group chose the lift station site at Taylor's Slough as its Bicentennial project, seeking to improve its amenities for public use because of its proximity to Lake Austin, and the scenic vista afforded by the site, as well as its appropriateness as a linkage to Lake Austin from Reed Park along a dedicated public walkway beside Taylor Slough, through the Bello Vista Subdivision, and

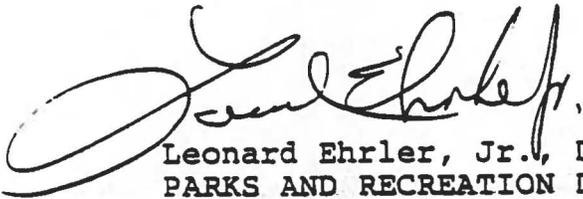
Whereas, the City's legal title to the Lake Austin shoreline area around the Taylor Slough lift station has been questioned and never fully established by a court, and

Whereas, should the City lose its title to said lift station property in a court case, the City might be able to provide an alternate public access and linkage to Lake Austin in the area of the Scenic Drive right-of-way that includes 60 feet of frontage on Lake Austin,

Therefore, be it resolved that the Parks and Recreation Board recommend against the City vacating the Scenic Drive right-of-way in question (File #C10v-81-016) in the Taylor Slough area at this time, and

Recommend further that the City gain clear legal title in court to both tracts of land in connection with the Taylor Slough lift station before further consideration of right-of-way vacation.

The Parks and Recreation Department on November 2, 1981, recommended to the Planning Department that existing points of public access be retained on Lake Austin. Vacation of the Scenic Drive right-of-way would eliminate one of the few publicly owned access areas on the eastern shore of Lake Austin.



Leonard Ehrler, Jr., Director
PARKS AND RECREATION DEPARTMENT

LE:ln
attachment

xc: John L. German, P.E., Director
Public Works and Engineering Departments
Larry O'Neal, Engineering Department



MEMORANDUM

To: Carl Schwing, Director, Water and Wastewater
From: Leonard Ehrler, Jr., Director, Parks and Recreation
Date: December 1, 1982
Subject: Taylor Slough Lift Station

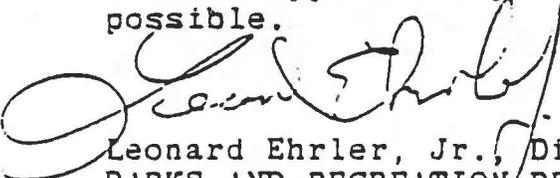
As part of the compromise in resolving the issue of vacating excess street right-of-way on Scenic Drive earlier this year, it was recommended that the Parks and Recreation Department encourage limited, primitive public use of the lift station site (see attached map).

The Parks and Recreation Department requests authorization from the Water and Wastewater Department to install non-permanent picnic tables, a garbage receptacle and to assume park maintenance of the area in order to provide for limited use of this prime open space area.

If such an agreement were authorized, the Parks and Recreation Department would also agree to the following conditions:

1. The site would not become dedicated parkland.
2. The site would continue to be owned by the Water and Wastewater Department.
3. No permanent improvements would be made to the site.
4. The Water and Wastewater Department would reserve the right to maintain the lift station and wastewater system without interference from the Parks and Recreation Department or Board.

I would appreciate your reaction to this proposal as soon as possible.


Leonard Ehrler, Jr., Director
PARKS AND RECREATION DEPARTMENT

LE:DJR:cc

Attachment



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NOV 21 1983

MEMORANDUM

PARKS AND RECREATION
CITY OF AUSTIN

To: Leonard Ehrler, Jr., Director, Parks & Recreation Dept.
From: Carl M. Schwing, Director, Water & Wastewater Department
Date: November 21, 1983
Subject: Taylor Slough Lift Station Site

Our Department has been approached by Ed Padgett and Ray Thomas with a proposal to clear up the title to the property on which the Taylor Slough Lift Station on Scenic Drive is located. The proposal also includes providing an easement for the existing overflow pipe and constructing and filling behind a bulkhead along the shoreline of Lake Austin.

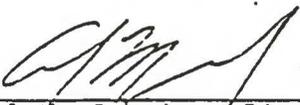
We have reviewed their proposal, and with regard to our operation of the lift station, have no objections to it, provided the following provisions are included, as they were indicated to us:

1. The City of Austin be acknowledged as the sole owner of the tract of land identified on the attached drawing as parcel "D" and all other claims be dropped. The tract to remain under the control of the Water and Wastewater Department for the purpose of operating and maintaining facilities necessary for providing water and wastewater service.
2. Clear title to the tract of land identified on the attached drawing as parcel "E" to be transferred to the City of Austin to be used by the Water and Wastewater Department for the same purposes as parcel "D" as stated above.
3. An easement fifteen feet wide be dedicated across lot 1 in a northeasterly direction from the northeastern boundary of parcel "E" to the shore of Lake Austin. The easement shall be worded to permit the installation of a sewer line as well as unimpeded access and egress to the shore of Lake Austin for inspection and maintenance purposes.

Memorandum
Leonard Ehrlar, Jr.

Page 2
November 21, 1983

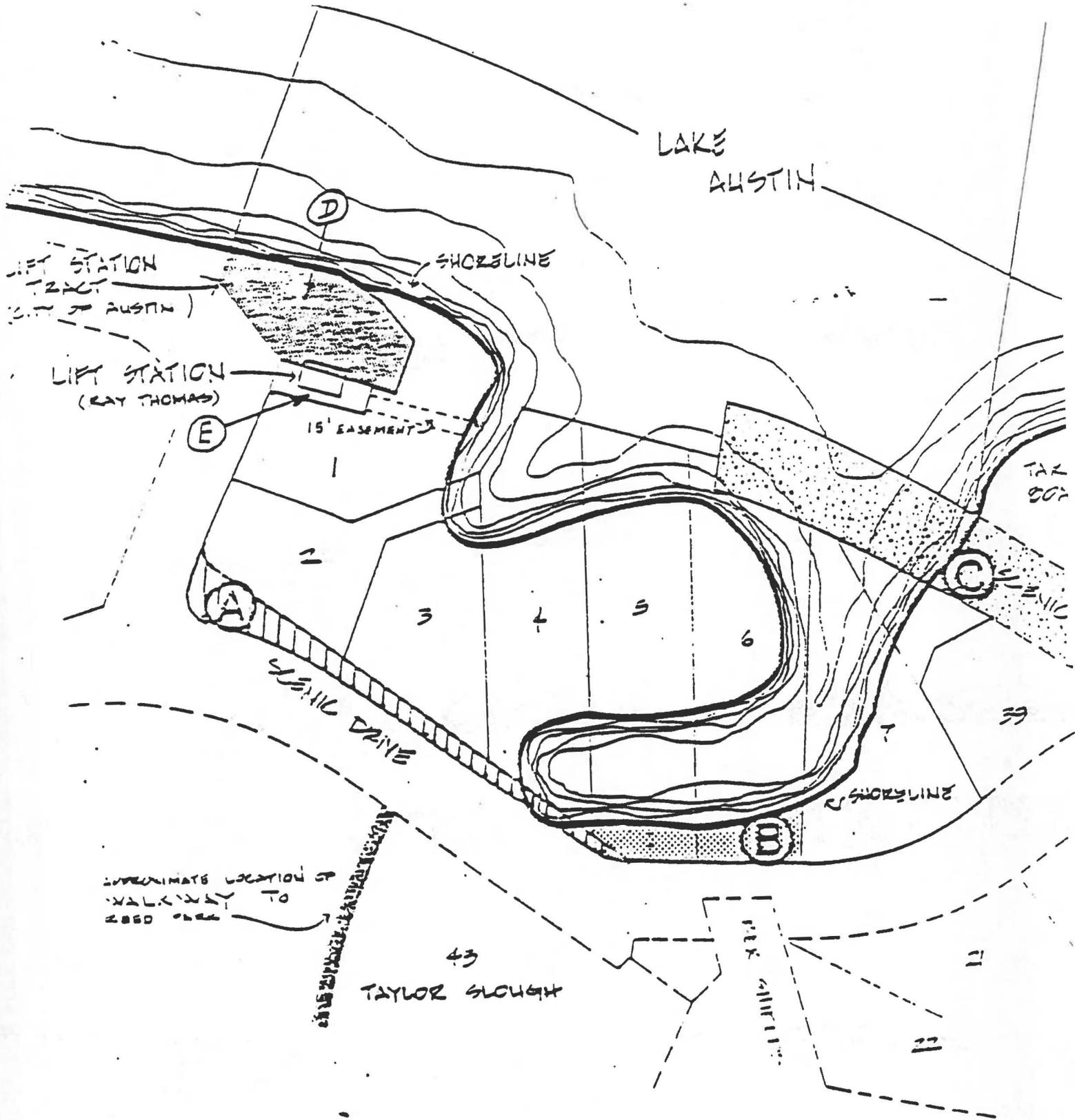
These provisions are the minimum requirements necessary in any proposal to alter the landscape in Taylor Slough for this Department to continue providing utility service. Your Department is welcome to continue the limited, primitive public use of the site under the same conditions as you requested in your memorandum of December 1, 1982.



Carl M. Schwing, Director,
Water and Wastewater Department

CMS:gm

xc: G. L. Greene



SCALE: 1" = 100'



RETAINING WALL CONSTRUCTED ON LAKE AUSTIN BEYOND THE
EXISTING SHORELINE AT 2546-2552 SCENIC DRIVE AT
TAYLOR SLOUGH

Mrs. Waldi Browning from the West Austin Neighborhood Group, explained she was present to represent Mrs. Barbara Hawkins who had a conflicting meeting. The retaining wall constructed by Mr. Ed Padgett at 2546-2552 Scenic Drive at Taylor Slough extends beyond the existing shoreline in some areas. According to plans previously submitted and approved by the Parks and Recreation Board and Building Department, the retaining wall was to be curved and instead it has been squared off and does not follow the existing shoreline.

Stuart Strong, Program Manager, Planning and Design, explained that a number of meetings have been held concerning the construction of the wall. The Parks and Recreation Board at its meeting held December 12, 1983, took the following action:

"It was moved by Mr. Bray and seconded by Mr. Nalle, that the Parks and Recreation Board approve the revised request by Mr. Ed Padgett and Dr. Pat Gordon to construct a retaining wall along the existing shoreline, four (4) boat docks, to fill an area identified as overflow from the City of Austin wastewater lift station, and to dredge a contiguous area in Lake Austin at 2546-2552 Scenic Drive with the following conditions:

1. Boat dock widths shall not exceed twenty percent of the shoreline width of each lot.
2. Approval of a waterway development permit for the proposed construction, dredging and filling.
3. Grant to the City of Austin a 15' wide sanitary sewer easement through Lot 1 from the City's lift station to the edge of Lake Austin.
4. Grant to the City of Austin a quit-claim on the .167 acre tract west of the lift station.
5. Relinquish title and/or claim to the lift station.
6. Grant to the City of Austin a portion of Dr. Pat Gordon's lot to increase public waterfront surrounding the lift station.
7. Subdivide the existing six lots to four lots.
8. Remove any fill that may have been placed in Lake Austin on Lot 1.

The Board also recommended that Dr. Pat Gordon meet with Parks and Recreation Department staff to develop an aesthetically pleasing buffer between the City of Austin property and Dr. Gordon's property."

Attachment 1

Council Memo

10

December 15, 1

ESTABLISHING MUNICIPAL COURT OF RECORD

Councilmember Spaeth introduced to council consideration of requesting the City Manager to review the options submitted by the Presiding Judge, Municipal Court of the City of Austin, and to make his recommendations on the feasibility of each. He said the request is for a court reporter because at present no record is kept of trial proceedings in Austin Municipal Court. Last year there were 788 case without any record and 196 of these were appealed. The City Manager recommends we go to a bid contract reporter.

Motion

The Council, on Councilmember Spaeth's motion, Councilmember Shipman's second, voted to approve Plan C. (7-0 Vote)

Plan C: Bid Contract Reporter

The Court can require the defendant to give notice that a report will be required. We can then schedule recorded trials for certain hours and days of the week. A competitive bidding process will result in a bid contract for services at an hourly rate of approximately \$20.00 an hour for recording. The Council could get bids for a full day of recording at something neighboring \$100.00 per day. We could try about 6 cases per day. We estimate as many as 500 cases may require reporting per year. This means 83 court days requiring a reporter. Perhaps 50 of those cases would actually be appealed. Of that 50, maybe 20% will be indigents qualified for free transcripts for a total of 10 transcripts at City expense. Ten transcripts would cost in the neighborhood of \$1,000. Reporting: \$8,300.00; Indigent Transcripts: \$1,000.00; and Estimated cost to City: \$9,300.00.

RELOCATION OF DONATED HOUSES

The Council, on Mayor Pro Tem Trevino's motion, Councilmember Urby's second, adopted a resolution requesting the Building Standards Commission and the Historic Landmark Commission to schedule a special called meeting as soon as practicable in January to insure that all relocation applications will be timely reviewed and direct the City Manager to direct the staff to provide the necessary assistance to insure that this cooperative effort between the private sector, neighborhood groups, non-profit organization, and the City of Austin may prove successful. (7-0 Vote)

~~RESOLVED: THE COUNCIL APPROVES~~

The Council, on Councilmember Rose's motion, Councilmember Spaeth's second, approved the request of Dr. Pat Gordon and Mr. Ed

BUILDING PERMIT - (Continued)

Padgett, for approval of a Building Permit to construct a concrete bulkhead and backfill along the shoreline of Lots 1 through 6, Scenic Cove, subject to the Parks Board recommendations. (6-0 Vote, Councilmember Shipman abstained)

PRESERVATION OF TREES

Ms. Susan Toomey Frost appeared before Council to present an ordinance to guide the area's redevelopment and the declaration of an emergency for the immediate preservation of the trees along Barton Springs Road west of Lamar Blvd.

Council directed that this be brought back on the December 20, 1983 agenda.

NO ACTION TAKEN ON REQUEST

Council took no action on the request of Mr. Douglas Pendergras for a variance to construct a boat dock on Lake Austin which exceeds the size limitation of the Building Department.

BOAT SLIP VARIANCE APPROVED

The Council, on Councilmember Shipman's motion, Councilmember Spaeth's second, approved the request of Richard Band and Carol Rogers for approval of a variance to construct a boat slip at 6704 Troll Lane within ten feet of the adjacent property. (7-0 Vote)

EXTENSION OF BOAT HOUSE DOCK

The Council, on Councilmember Spaeth's motion, Mayor Mullen's second, approved the request of Lauren Hudgans to extend the boat house dock at 3113 Ski Shores Terrace three feet beyond the City limit of 40 feet. (7-0 Vote)

PUBLIC HEARINGS - INDUSTRIAL BOND FINANCED
COMMERCIAL PROJECTS

Mayor Mullen opened the public hearing set for 1:45 p.m. to consider an Industrial Development Bond Financed Commercial project proposed by H.I. One Austin Limited (Habitat Hotel). No one appeared to be heard.



Stuart Stron

MEMORANDUM

To: City Councilmembers
From: Jorge Carrasco, Acting City Manager
Date: February 23, 1984
Subject: Construction at 2546-2552 Scenic Drive For Ed Padgett

FOR INFORMATION

On July 14, 1983, an application to construct a retaining wall at 2546-2552 Scenic Drive was submitted to the Building Inspection Department. At the Parks and Recreation Board meeting on July 26, 1983, no action was taken until four concerns were resolved: 1) resubdivision from six to four lots; 2) fill of the tributary adjacent to the City wastewater lift station; 3) both owners of the property submitting a joint application; and 4) the establishment of the location of the natural shoreline. The proposal was returned to the Parks Board on November 22, 1983, where action was again deferred until these issues were adequately resolved.

The following is a brief chronological explanation of subsequent action taken by the City on this proposal.

December 2, 1983	In response to a complaint of unauthorized fill into Lake Austin on Lot 1, a Stop Work Order was issued at the site by the Building Department.
December 7, 1983	Fill is removed from Lake Austin on lot 1.
December 12, 1983	Parks Board recommends approval of proposal contingent upon eight conditions and City Council approval for proposed backfill on lot 1 of a natural tributary adjacent to the City wastewater lift station (see attachment #1).
December 15, 1983	City Council approves the proposal for construction subject to the eight Parks Board recommendations (see attachment #2 and #2A).
December 27, 1983	Waterway Development Permit is issued by Public Works Department.

December 28, 1983 With all eight Parks Board conditions being satisfied, building permits for construction of a retaining wall with backfill as approved by City Council are issued.

February 17, 1984 In response to a complaint of construction occurring not in accordance with the approved plan, a Stop Work Order is issued at the site by the Building Inspection Department.

February 22, 1984 Martinez and Wright, Engineers Inc. provides certification that all construction is in accordance with the approved plan (see Attachment #3).

All construction is now complete at this location. In the text of the Parks Board recommendations, the proposal would include construction of a retaining wall along existing shoreline and fill would occur only adjacent to the City wastewater lift station on Lot 1. As stated in the City Council meeting minutes for December 15, 1983, Council approved a building permit to construct a concrete bulkhead and backfill along the shoreline of Lots 1-6, Scenic Cove, subject to the Parks Board recommendations.

In the certification from Martinez and Wright Enginee s, Inc., it was asserted that construction is in accordance with all of the board's conditions. However, since the contractor did not call for the required layout inspection prior to the commencement of construction, the Building Department is unable to confirm whether or not the wall has been constructed along the then-existing shoreline. Because straight, tangent lines were utilized rather than conforming to the natural curves of the shoreline, it appears that minor encroachments into Lake Austin have resulted.

Therefore, two alternatives are available for Council consideration: 1) to resubmit the proposal to the Parks Board for their comments and a subsequent rehearing by Council, or 2) approval of the project as constructed with the minor variations.

Jorge Carrasco
Acting City Manager

JC:sr

xc: Terry Childers
Assistant City Manager

111c

I N T E R O F F I C E M E M O R A N D U M

Date: 28-Sep-1988 05:56pm CDT
From: Craig Bell
BELL_CRAIG AT A1 AT HAPPY
Dept: Water and Wastewater
Tel No:

TO: STRONG_STUART AT A1 AT PARDV1

CC: Steve Rhoades (RHOADES_STEVE AT A1 AT HAPPY)

Subject: "P" ZONING CASE - TAYLOR SLOUGH L.S.

STUART,

Some of our routine "P" zoning cases are going to Council tomorrow and one of them may involve PARD. It's the Taylor Slough Lift Station, located on a tract of about a quarter of an acre on the shore of Lake Austin, where Scenic Drive makes a bend toward Matthews Drive. An adjacent property owner is complaining about the tract, specifically about its informal use as a "park". It is near, but apparently not adjacent, your greenbelt along Taylor Slough. Steve Rhoades has looked at the tract and I'm attaching a copy of his memo about the complaint.

Steve reports that a park bench is on the property, as well as a trash receptacle on a concrete pad. Are these PARD's? Do you have any attachment to this tract, or wish to retain public access? Would it bother you if we agree to fence the whole thing off? Can you please give me a call before noon at 322-3610, or Steve at 322-3611. Thanks.

Mr. Bond,

Sept. 28, Weds.

There may be a problem with one of the P zoning cases to be voted on tomorrow. It is the Taylor Slough Lift Station, 2540 Scenic Drive, case number C14-88-0089.

A man named Bryant Adams called me this morning around 9:45 am and said he represented William Hold, who owns land adjacent to and east of the Taylor Slough tract. His main concern is that our tract is being used for purposes for which it is not intended, specifically: people are using it like it is public park property, parking on the tract and on the side of the road next to it, bringing fishing equipment, coolers, food, etc. and leaving the tract trashed up, which inevitably gets onto Mr. Hold's property. He thinks the park bench and trash receptacle on our tract encourages the idea of and use of the tract as park property. Also there is electrical equipment (sticking up out of the ground) on one side of the tract which has "Danger: High Voltage" signs on it. This equipment is not fenced in and could easily be tampered with by a child or anyone else. Finally, there is a traffic barrier along one edge of the property which consists of a steel cable strung across about 5 wooden posts. As a whole this barrier is in disrepair, with most posts tilting and one out of the ground and lying on its side.

Mr. Adams had two ideas about what should be done. First and foremost his

ideal solution would be to put a cyclone fence around the entire property, thereby physically prohibiting any park use of the property. His second idea is to request that at the time the P zoning is passed, restrictive covenants be attached to the zoning change which would legally limit the use of the property to utility use only and specifically not for park use.

I told him I would try and find out how the Utility would respond to both of these ideas and call him later this afternoon. He wants us to voluntarily suggest something similar to either one of his ideas during the Council meeting on Thursday. I told him I wasn't sure that it was our role to do that, but I'd check on it.

I apologize about the length of this note but I don't want you to be caught off guard. Ideally we'll resolve this before the Council meets tomorrow, and I'll keep you posted on whatever happens.

Steve Rhoades
Systems Planning

Director's
Agenda Brief

Review Date:
September 29, 1988

Item Number: K.1.b(12)

Key staff person: Strong

Who will attend review session with Director, if necessary?
Strong

SUMMARY: (What is this item intended to accomplish? What will be the consequences of passage? How would you sum it up for the press or the Council in one brief paragraph?)

Rezone a Water and Wastewater Department tract on Lake Austin at the mouth of Taylor Slough to "P" Public as required by City Code.

BACKGROUND: (What problem or opportunity gave rise to the proposed action? Give a brief history of the process that got use to this point.)

The tract, occupied by a sewage liftstation, is next to a small subdivision which requested Parks Board approval for a retaining wall in 1983. Public access to the lake on the City tract was an issue to the Parks Board and use of part of the developer's shoreline was a condition of approving the retaining wall. (Dec. 12, 1983) The City Council approved the Parks Board recommendations (Dec. 15, 1983). In November 1984, the developer (Ed Padgett) gave PARD \$1,500 to improve the City tract for public recreation and to plant a landscape buffer at the property line. PARD committed to maintain the area.

POLICY CONTEXT: (What is the relationship of this action to Council Goals? The C.I.P.? Land use, State or Federal regulations? The PARD Master Plan? Ballot propositions?)

Use and maintenance of the liftstation tract for public recreation was part of the agreement with the developer. In November 1983, the Director of Water and Wastewater agreed the land could be used for limited recreation purposes if the land did not become dedicated parkland and their operations were not obstructed.

ISSUES: (What are the trade-offs? What is liable to be disputed? By whom? How serious are the differences? What do the Director and the City Manager need to know so they don't get broad-sided?)

A neighbor (William Hold) has objected to the rezoning because the land is being used for recreation and there are maintenance problems. He suggested a chain-link fence to exclude the public. Water and Wastewater asked our opinion on this solution. Mr. Hold may oppose the zoning.

PLAYERS: (What organization, departments, neighborhood association or individuals not mentioned on previous, play a role in this action? Are key players aware the item is coming up for review? Should PARD contact anyone?)

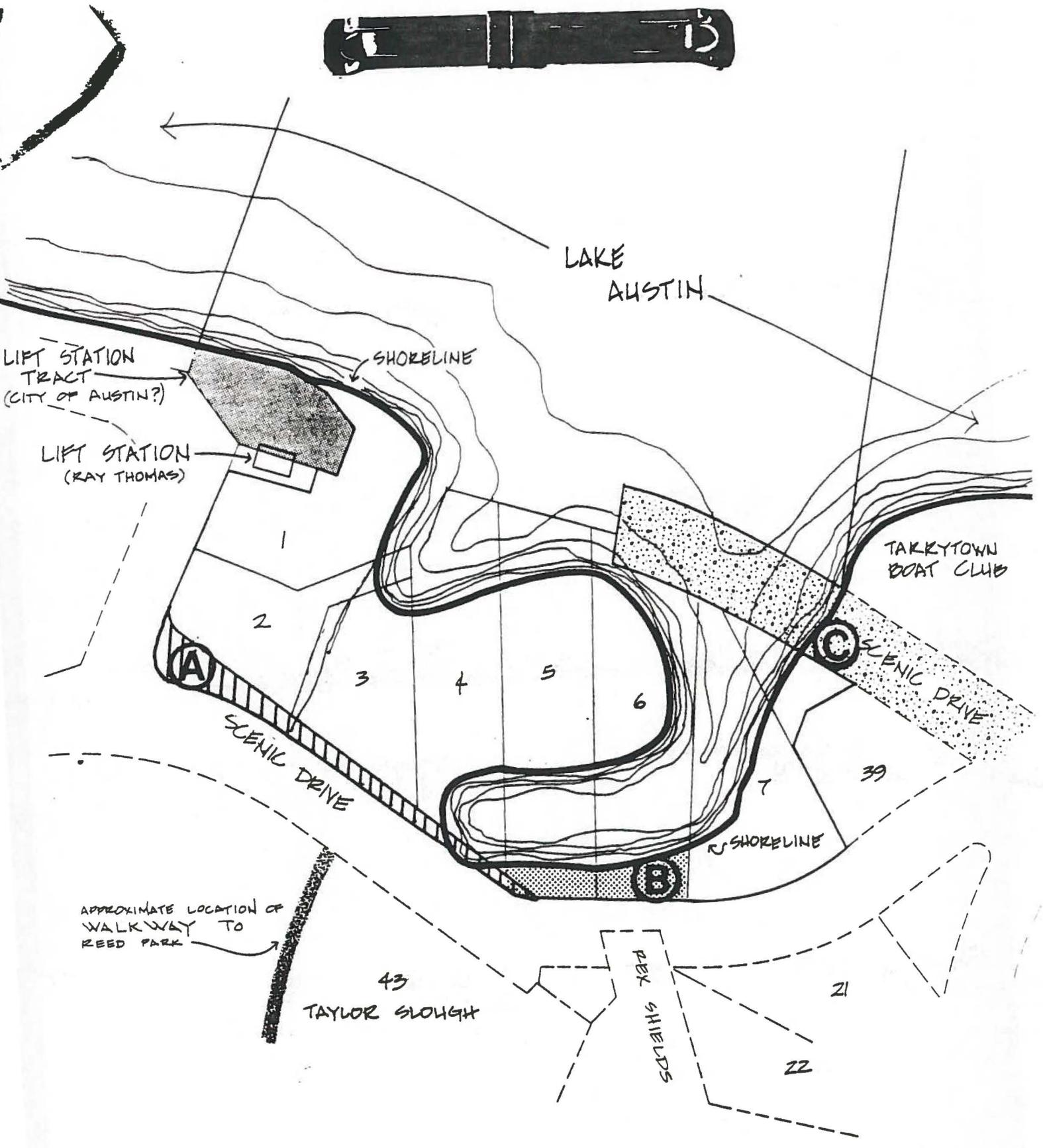
PARD, Parks Board, Mr. William Hold and his lawyer, Bryant Adams

STRATEGY & RECOMMENDATIONS: (What should PARD's stance be? Are there reasonable fall-back positions?)

Recommend rezoning without conditions (no fence around the tract)

KEY DATA: (The basics: Where is it? How big is it? How much will it cost? Who will pay? How many positions required? Etc.)

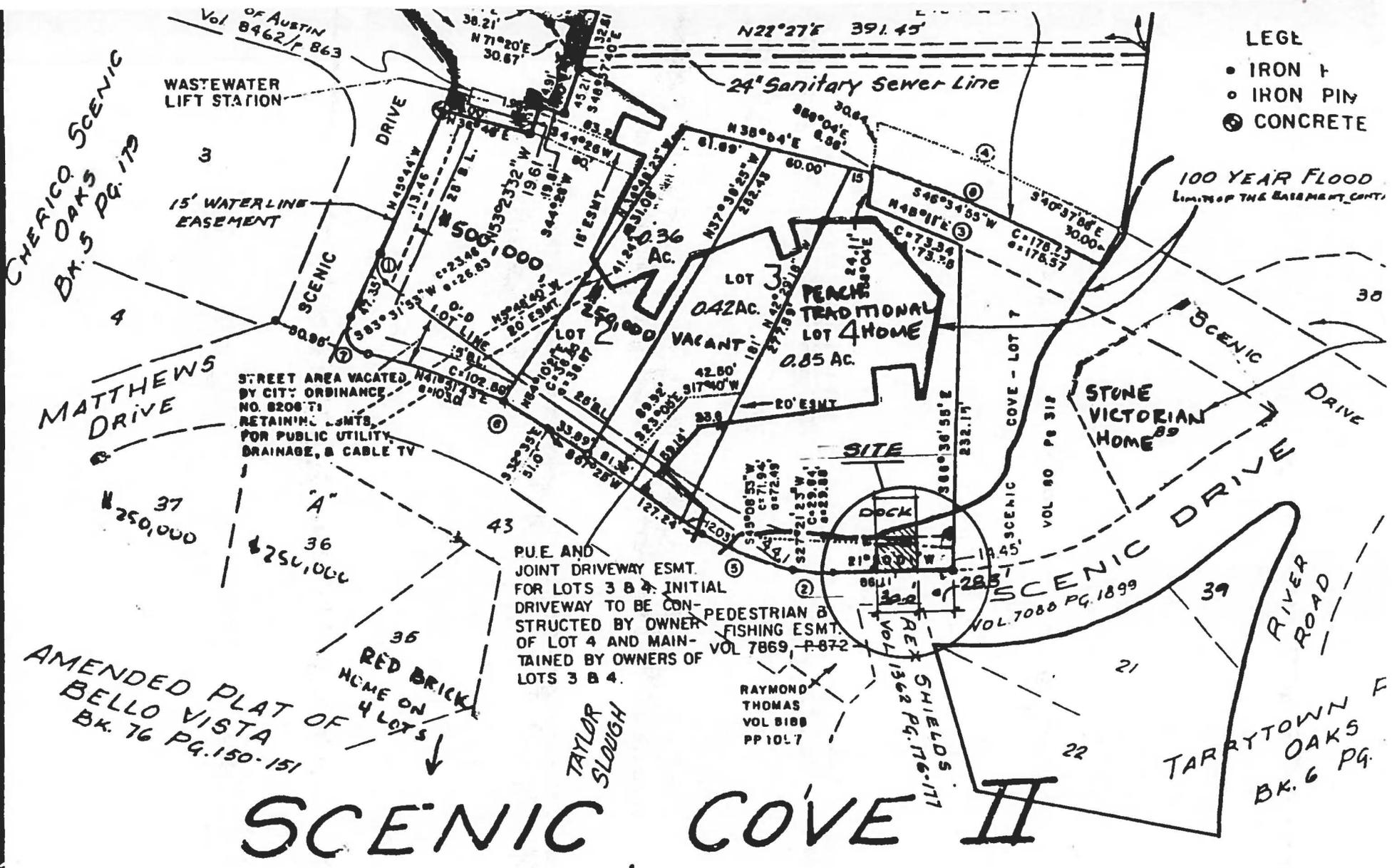
Located on Lake Austin, down the hill from Roberta Crenshaw's house, near Scenic Drive.



SCALE: 1" = 100'



- LEGEND
- IRON T
 - IRON PIN
 - ⊙ CONCRETE



SCENIC COVE II

LOCATION MAP SC 1" = 100'-0"

31-



MEMORANDUM

TO: Parks Board Members

FROM: Jesus M. Olivares, Director
Parks and Recreation Department

DATE: March 5, 1997

SUBJECT: Parks Board Capital Improvements Program (CIP) Recommendation

Attached is an outline of what staff was able to decipher from your meeting of February 25, 1997 regarding the Board's recommendation for projects to be included in the PARD CIP. The item is posted again for action on March 11, 1997 in order to clarify the Board's recommendation. Please look at the list prior to the meeting and determine if this list accurately represents the Board's wishes. Keep in mind, the costs associated with the projects are estimates only and are subject to change.

In addition, attached is a list of projects and improvements that are already funded in which citizens expressed concern during the public hearings.

If you need additional information, please contact Stuart Strong, 499-6766.

Jesus M. Olivares

Jesus M. Olivares, Director
Parks and Recreation Department

**PARKS AND RECREATION BOARD RECOMMENDATIONS
FOR PROPOSED CAPITAL IMPROVEMENTS PROJECTS**

Project Description

Preliminary Cost
Estimate

First Priority Projects

Enclose the upper deck at Northwest Recreation Center; add improvements....	\$ 600,000
Blunn Creek greenbelt acquisition.....	\$ 500,000
Blunn Creek trail development.....	\$ 900,000
West Bouldin Creek greenbelt acquisition.....	\$ 500,000
Bull Creek greenbelt acquisition.....	\$ 1,000,000
Multi-use recreation center.....	\$ 3,000,000
Dev. of Little Walnut Creek Park (Rundberg)....	\$ 620,000
Dev. of Phase I of Walnut Creek trail.....	\$ 2,500,000
Improvements (2 sand volleyball courts, 1 soccer field) at Walnut Creek Metro Park	\$ 80,000
Swimming Pool..... (Rundberg Park)	\$ 2,000,000
Improvements at Pan-AM Cantu Recreation Cen (Swimming Pool only)	\$ 2,000,000
Knights of Columbus acquisition.....	\$ 1,850,000
Colorado River Park Development.....	\$ 12,000,000
Walnut Creek greenbelt acquisition.....	\$ 2,500,000

\$ 32,050,000

Second Priority Projects

Shoal Creek trail improvements.....	\$ 500,000
Improvements at West Enfield Park.....	\$ 90,000
East Bouldin Creek acq. & trail development....	\$ 50,000
S. Austin Sr. Activity Center Parking (land)....	\$ 200,000
Bull Creek trail development.....	\$ 200,000
Playground improvements at Gracywoods Park	\$ 130,000
Improvements at Scofield Park.....	\$ 75,000
Improvements at Alamo Park (playground).....	\$ 60,000
In-door swimming pool (conversion).... (Barth)	\$ 1,000,000
Zilker Botanical Garden (Dinosaur garden).....	\$ 250,000

2,555,000

34,605,000

North Austin



Improvements Using Existing Funds

North Senior Activity Center
Park improvements in the vicinity of Laurel Mountain elementary school
Playground improvements at Pecan Springs Elementary school
Benches at South Austin Senior Activity Center
Improvements at Armadillo Park
Improvements at Garrison Park